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REMARKS

In response to the requirement to restrict the claims to one of six different groups, Applicants elect to prosecute the claims in Group I. The Examiner's restriction between Groups I and II is respectfully traversed. Applicants do not traverse the restriction entered between the claims of Group I and claims 19-30, and these claims have been cancelled, with consideration being presently given to their submission in a divisional application.

It is submitted that careful comparison of the claims of Group I and independent claim 18 will show that distinct and different inventions are not being claimed therein. Claim 1 recites a biochip having at least one hydrogel cell; claim 18 merely specifies a plurality of such cells. Both recite a solid surface on which the cells are bound or attached. Claim 1 recites a binding entity immobilized within or upon said cell (which may be a protein); independent claim 18 recites different protein binding entities bound to intermediate agents immobilized as a part of said hydrogel cells. Dependent claims 9 and 11 specify the binding entity as a protein. Claim 10 specifies that the binding entity is immobilized through interaction with an intermediate agent. Dependent claim 15 specifies that there are a plurality of hydrogel cells, and that different binding entities are respectively immobilized in different hydrogel cells.

It is submitted that the Examiner is in error in stating that the products of Groups I and II have different modes of operation, different functions or different effects with respect to claim 18. It is further submitted that it should be clear that both groups define

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biochips having hydrogel cells to which binding entities, such as proteins, are attached which function in exactly the same manner. Although the attachment can be either directly to the hydrogel polymer or via an intermediate agent, both define biochips having three-dimensional hydrogel cells to which binding entities are attached which will sequester targets that may be present in an analyte solution to which the biochip is exposed.

Claim 18 should be examined along with claims 1 to 17.

Paragraph 10 of the Office Action set forth the requirement to elect one single species of "hydrogel cell" and of "binding entity", on the assumption that the claims of Group I were elected, which has now been done.

From the standpoint of "hydrogel cell", Applicants elect a hydrogel formed from an isocyanate-functional polymer, more specifically a polymer with urethane linkages, still more specifically a urethane polymer which comprises polyethylene glycol, and yet more specifically one which is the product of a reaction with a polyisocyanate, such as toluene diisocyanate (see page 12, line 33).

From the standpoint of a single specific species of binding entity, Applicants elect that the binding entity is a protein, and more particularly an immunoglobulin (see page 14, line 11).

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With respect to the requirement for a listing of all claims readable on the species election, Applicants submit that original claims 1-7 and 9-17, as well as claim 18 would be readable on the elected species. It is further submitted that new claims 31-42 would also be readable on the elected species.

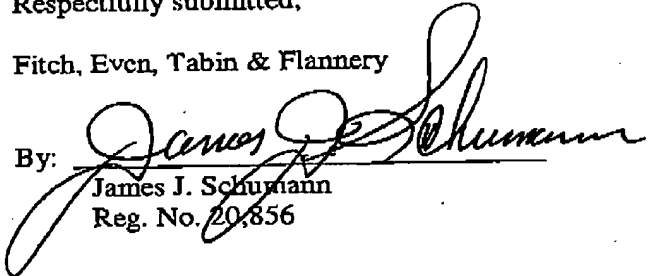
In view of the foregoing remarks, it is believed that the claims that presently being presented, i.e. claims 1-7, 9-18 and 31-42 should be examined. An Office Action on the merits at an early date is courteously solicited.

Respectfully submitted,

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